



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,114	06/11/2002	Jurgen Roekens	10191/2243	9120

26646 7590 10/07/2003

KENYON & KENYON  
ONE BROADWAY  
NEW YORK, NY 10004

EXAMINER

GRAHAM, GARY K

ART UNIT	PAPER NUMBER
----------	--------------

1744

DATE MAILED: 10/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/070,114

Applicant(s)

ROEKENS, JURGEN

Examiner

Gary K Graham

Art Unit

1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 10-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10 and 13-18 is/are rejected.
- 7) ☒ Claim(s) 11 and 12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3. 6) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

---

Claims 14 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 14, line 2, use of "the wiper blade that bear the plateau" is vague since the plateau has not been set forth as being associated with the receiving and supporting means in any manner such that there is basis for the means that "bear" the plateau.

In claim 15, line 2, there is no antecedent basis for "the at least crosspiece". Further, such does not appear to be grammatically correct.

*Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 10 and 13-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Yang '487.

The patent to Yang discloses the invention as is claimed. Note figure 1 which shows a connecting piece having a body (1,2) for joining multiple types of wiper arms to a wiper blade (3). The connecting piece can join hook-shaped arm ends (fig.4), pin-type arm ends (fig.8) and strip-type (fig. 3) to the wiper blade. Thus, the connecting piece of Yang has all the means for receiving as is claimed.

With respect to claim 13, note flexible plateau (23).

With respect to claim 14, note cross-piece (2). Slots are defined along each side of the plateau (23) between the side walls (1).

With respect to claim 15, note that the cross pieces have at least a surface (fig.9, front of cross piece) that is at an angle of less than 90 degrees with respect to the plane the plateau lies in.

With respect to claim 16, note that the member (22) will act to limit the flexibility of the flexible region (23). The lower surface of the member (22) and the upper surface of the member (23) will acts as stops upon movement of the member (23) in an upward direction.

Art Unit: 1744

With respect to claim 17, note holes (11,12) in which the member (23) is situated for engagement with a pin.

With respect to claim 18, note projection (231) for arresting a wiper arm end.

Claims 10, 13-14 and 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Herring et al '016.

The patent to Herring discloses the invention as is claimed. Note figure 1 which shows a connecting piece (10) having a body (15,20) for joining multiple types of wiper arms to a wiper blade (400). The connecting piece can join hook-shaped arm ends (fig. 7), pin-type arm ends (fig. 6) and strip-type (fig. 15) to the wiper blade. Thus, the connecting piece of Herring has all the means for receiving as is claimed.

With respect to claim 13, note flexible plateau (60).

With respect to claim 14, note cross-piece (65). Slots are defined along each side of the plateau (60) between the side walls (20).

With respect to claim 16, note that the member (15) will act to limit the flexibility of the flexible region (60). The lower surface of the member (15) and the upper surface of the member (60) will acts as stops upon movement of the member (60) in an upward direction.

With respect to claim 17, note hole (95) in which the member (60) is situated for engagement with a pin.

With respect to claim 18, note projection (75) for arresting a wiper arm end.

*Allowable Subject Matter*

Claims 11 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

*Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary K Graham whose telephone number is 703-308-1270. The examiner can normally be reached on Tuesday to Friday (6:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Warden can be reached on 703-308-2920. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

GKG  
28 September 2003

Gary K Graham  
Primary Examiner  
Art Unit 1744

